IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1738 OF 2006

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Shri V.Y.Jadhav for the Petitioner.
Ms Mhaispurkar, A.G.P for the Respondent No.1.
Shri Sandesh D. Patil for the Respondent Nos.2 and 3.
Shri P.D.Dalvi for the Respondent Nos.5 to 18 and 21 to 26.

CORAM : ABHAY S.OKA, J.
DATED : APRIL 27, 2007.

P.C.:

1. Heard Advocates appearing for the parties. The challenge in this Petition under Article 227 of the Constitution of India is to order dated 27th January, 2006 passed by the learned Joint Charity Commissioner, Kolhapur below Application at Exhibit 45 in Application No.08 of 2003.

2. The second and third Respondents herein filed Application No.08 of 2003 under section 41E of the Bombay Public Trust Act, 1950. The Application at Exhibit 45 was filed for temporary injunction during the pendency of the Application No.08 of 2003. By the order impugned dated 27th January, 2006 the opponents in the Application

No.08 of 2003 were restrained from holding general body meeting scheduled to be held on 20th January, 2006 or on any other date till further orders. The learned counsel appearing for the Petitioner and the learned counsel appearing for the second and third Respondent agreed that now the main Application No.08 of 2003 has been disposed of by order dated 18th April, 2007 and therefore, the impugned order dated 27th January, 2006 is no longer operative with effect from 18th April, 2007 as the said order below Exhibit 45 was passed on an interim application filed during pendency of Application No.08 of 2003. As the order dated 27th January, 2006 is no longer operative, the present Petition does not survive and the same is disposed of. It is however, clarified that contentions of the parties on the basis of order dated 18th April, 2007 passed in Application No.08 of 2003 are expressly kept open.

JUDGE